

Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Blessed Hope Baptist Mission)	File No.: EB-FIELDWR-13-00009738
Permittee of KSVJ (FM))	
)	NOV No.: V201432780004
Seward, Alaska)	Facility ID: 176426

NOTICE OF VIOLATION

Released: October 30, 2013

By the Anchorage Resident Agent Office, Anchorage, Alaska, Western Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Blessed Hope Baptist Mission (Blessed Hope), permittee of FM broadcast radio station KSVJ with a community of service in Seward, Alaska. Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation noted herein.²

2. On July 9, 2013, a Notice of Violation (July NOV) was issued to Blessed Hope for a violation noted during a June 18, 2013, site inspection. The July NOV was sent via United States Postal Service (USPS) certified and first class mailings. No response was received to the July NOV. On August 13, 2013, a Warning for non-response also sent to Blessed Hope advising that a response to the July NOV was required and included a copy of the July NOV. The Warning was also sent via USPS certified and first class mailings. Therefore, the following violation:

- a. 47 C.F.R. § 73.1015: "The Commission or its representatives may, in writing, require from any applicant, permittee, or licensee written statements of fact relevant to a determination whether an application should be granted or denied, or to a determination whether a license should be revoked, or to any other matter within the jurisdiction of the Commission, or, in the case of a proceeding to amend the FM or Television Table of Allotments, require from any person filing an expression of interest, written statements of fact relevant to that allotment proceeding. Any such statements of fact are subject to the provisions of § 1.17 of this chapter." No response to the July NOV has been received.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Blessed Hope Baptist Mission must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

³ 47 U.S.C. § 308(b).

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violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁴

4. In accordance with Section 1.16 of the Rules, we direct Blessed Hope Baptist Mission, to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Blessed Hope Baptist Mission, with personal knowledge of the representations provided in Blessed Hope Baptist Mission response, verifying the truth and accuracy of the information therein,⁵ and confirming that all of the information requested by this Notice which is in the permittee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁶

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Anchorage Resident Agent Office
PO Box 231949
Anchorage, AK 99523-1949

6. This Notice shall be sent to Blessed Hope Baptist Mission at its address of record.

7. The Privacy Act of 1974⁷ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

David J. Charlton
Resident Agent
Anchorage Resident Agent Office
Western Region
Enforcement Bureau

⁴ 47 C.F.R. § 1.89(c).

⁵ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁶ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

⁷ P.L. 93-579, 5 U.S.C. § 552a(e)(3).